

NO. C-1-PB-17-000466

ESTATE OF	§	IN THE PROBATE COURT
	§	
CHRISTOPHER MICHAEL PORTER	§	NUMBER ONE OF
	§	
DECEASED	§	TRAVIS COUNTY, TEXAS

**APPLICATION FOR DETERMINATION OF HEIRSHIP AND  
ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION**

Date of Death: October 19, 2016

TO THE HONORABLE JUDGE OF SAID COURT:

Michael Porter and Nancy Porter ("Applicants") file this Application for Determination of Heirship and Issuance of Letters of Independent Administration and in support of such Application would respectfully show the Court as follows:

I.

Applicant Michael Porter is the father of Christopher Michael Porter ("Decedent"), and resides at 5002 Forest Drive, Pell City, Alabama 35128.

Applicant Nancy Porter is the mother of Christopher Michael Porter, and resides at 5002 Forest Drive, Pell City, Alabama 35128.

II.

Decedent died on October 19, 2016 in Four Oaks, Johnston County, North Carolina at the age of thirty-six (36) years, and four (4) years have not elapsed since the date of his death.

III.

This Court has jurisdiction and venue because Decedent was domiciled and had a fixed place of residence in Travis County, Texas on the date of his death.

IV.

Decedent owned personal property described generally as a vehicle, bank account, music royalties, intellectual property rights and other intangible property of a probable value in excess of \$ 25,000. A necessity exists for the administration of this estate in that Decedent owed debts that were not secured by real estate.

V.

To the best of Applicants' knowledge Decedent died intestate. It is necessary and in the best interest of the Estate for the Court to determine who are the heirs and the only heirs of Decedent.

VI.

No children were ever born to or adopted by Decedent. Decedent was survived by his parents, Michael Porter and Nancy Porter.

VII.

The names and residences of the heirs of Decedent, each heir's relationship to Decedent, and each heir's true interest in the estate of Decedent are as follows:

<u>Heir and Residence</u>	<u>Marital Status</u>	<u>Relationship</u>	<u>Interest</u>
Michael Porter 5002 Forest Drive Pell City, AL 35128	Married	Father	50% of all assets
Nancy Porter 5002 Forest Drive Pell City, AL 35128	Married	Mother	50% of all assets

Applicants constitute the only heirs of Decedent's estate. Each such heir is an adult and is not under any legal disability.

VIII.

Decedent was married to Emily Hurst on May 22, 2010 in Alabama. The marriage was dissolved by divorce approximately two years later by decree dated May 23, 2012. This Application includes all of the information required by Section 202.005 of the Texas Estates Code.

IX.

The heirs of Decedent listed herein constitute all persons entitled to receive property of Decedent's estate and none of such heirs is a minor or under any legal disability. Pursuant to the provisions of Section 401.003 of the Texas Estates Code, all of the heirs of Decedent's Estate (being all distributees of Decedent's Estate) hereby designate Applicants to serve as Independent Co-Administrators of Decedent's Estate, and hereby request that no action be had in any court in the settlement of Decedent's Estate other than the return of an Inventory, Appraisement and List of Claims of the Estate or an affidavit in lieu thereof. Each heir of Decedent's Estate joins in this Application. Further, as provided in Section 401.005 of the Texas Estates Code, each such heir requests that the Court waive the requirement of bond, and permit Applicants to serve without bond as Independent Co-Administrators of Decedent's Estate. Further, as provided in Section 401.006 of the Texas Estates Code, each such heir requests that the Court grant Applicants a power of sale with respect to estate property.

X.

Each Applicant is qualified and is not disqualified by law from accepting Letters of Independent Administration. Each Applicant will file an appointment of resident agent with the Court.

XI.

It is in the best interest of Decedent's Estate and of the distributees of such Estate for the Court to enter an order appointing Applicants to serve as Independent Co-Administrators without bond of Decedent's Estate.

WHEREFORE, Applicants pray that citation issue as required by law to all parties interested in this Estate in the manner and for the length of time required by law; that the Court determine and declare the names and residences of all the heirs of Decedent and their respective shares and interests in Decedent's Estate; that Applicants be appointed as Independent Co-Administrators and that no bond be required of Applicants in such capacity; that the Court grant Applicants a power of sale with respect to estate property; and that Letters of Independent Administration be issued to Applicants. Applicants pray that such other and further orders be made as the Court may deem proper.

Respectfully submitted,

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By: 

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ATTORNEYS FOR APPLICANTS

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

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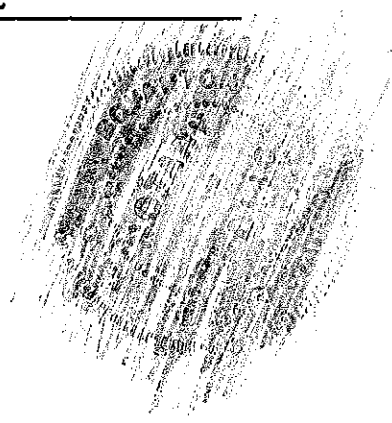
BEFORE ME, the undersigned authority, on this day personally appeared Michael Porter, who, after being duly sworn, stated that:

Insofar as known to me, all the allegations of the foregoing Application are true in substance and in fact and no material fact or circumstance has, within my knowledge, been omitted from the Application.

  
Michael Porter

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by Michael Porter on this the 27<sup>th</sup> day of February, 2017, to certify which witness my hand and seal of office.

  
Notary Public, State of Alabama



STATE OF ALABAMA  
COUNTY OF ST. CLAIR

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BEFORE ME, the undersigned authority, on this day personally appeared Nancy Porter, who, after being duly sworn, stated that:

Insofar as known to me, all the allegations of the foregoing Application are true in substance and in fact and no material fact or circumstance has, within my knowledge, been omitted from the Application.

  
\_\_\_\_\_  
Nancy Porter

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by Nancy Porter on this the 27<sup>th</sup> day of February, 2017, to certify which witness my hand and seal of office.

  
\_\_\_\_\_  
Notary Public, State of Alabama

